



ENTERED  
01/16/2019

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

IN RE:	§	
	§	CASE NO: 15-33896 (KRH)
ALPHA NATURAL RESOURCES, INC., et	§	CHAPTER 11
al.,	§	
	§	(Jointly Administered)
Debtors.	§	

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

IN RE:	§	
	§	CASE NO: 18-35672
WESTMORELAND COAL COMPANY, et	§	CHAPTER 11
al.,	§	(Jointly Administered)
	§	
Debtors.	§	

**ORDER APPOINTING UNITED STATES BANKRUPTCY JUDGE AS MEDIATOR**

After consultation between the Courts, it is

**ORDERED THAT:**

1. Mar-Bow Value Partners, LLC, Jay Alix (collectively, "Mar-Bow"), McKinsey Recovery and Transformation Services U.S., LLC ("McKinsey") and the Westmoreland debtors ("Westmoreland") shall participate in a mediation to be conducted by United States Bankruptcy Judge Marvin Isgur. The mediation shall be conducted in the United States Courthouse, 515 Rusk Street, Houston, Texas 77002.

2. Henry Hobbs, United States Trustee for Region 7, is invited, but not required, to attend the mediation. John Fitzgerald, United States Trustee for Region 4, or his duly authorized representative shall participate in the mediation.

3. The Alpha Natural Resources, Inc. reorganized debtors ("Alpha") are invited, but not required, to attend the mediation.

4. Mar-Bow, McKinsey and Westmoreland shall appear at the mediation with one client representative and one attorney. The client representative shall have full authority and discretion to resolve all disputes between Mar-Bow and McKinsey. Each corporate entity shall

provide Judge Isgur with a certified resolution regarding the representative's discretion and authority.

5. Mar-Bow, McKinsey and Westmoreland shall identify the client representative and his/her position to Judge Isgur at least five days prior to the scheduled mediation. Judge Isgur shall have sole discretion to reject the identified client representative. If Judge Isgur exercises such discretion, an alternative representative shall be identified to Judge Isgur within 24 hours of the rejection.

6. Mar-Bow, McKinsey and Westmoreland shall identify the attorney attending the mediation to Judge Isgur at least five days prior to the scheduled mediation.

7. If Henry Hobbs, United States Trustee for Region 7, elects to participate in the mediation, Hobbs must (i) notify Judge Isgur within 48 hours of the entry date of this Order of his intent to participate; and (ii) appear in person at the mediation with no more than one lawyer. John Fitzgerald, United States Trustee for Region 4, or his duly authorized representative must (i) appear at the mediation (in person, telephonically, by video conference, or by such other method as may be directed by Judge Isgur in Judge Isgur's sole discretion); and (ii) have full authority and discretion to resolve all disputes between the United States Trustee and McKinsey relating to the Alpha Natural Resources, Inc., et al. bankruptcy case. John Fitzgerald, United States Trustee for Region 4, or his representative may, in his or her discretion, appear with no more than one lawyer.

8. If Alpha elects to participate in the mediation, Alpha must (i) notify Judge Isgur within 48 hours of the entry date of this Order of its intent to participate; and (ii) appear in person at the mediation with no more than one client representative and one attorney.


9. No other persons may attend the mediation.

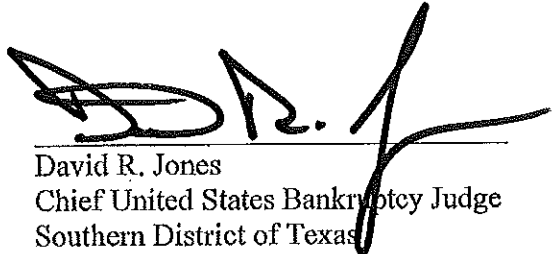
10. The parties shall contact Judge Isgur within 48 hours of the entry date of this Order to discuss timing and other procedures. Judge Isgur may impose such other conditions as he determines, in his sole discretion, to be appropriate.

11. Any resolution that is reached will be subject to Court approval after notice and opportunity for hearing. Any agreement will be available for review on the Courts' respective dockets.

12. At all times in the performance of his mediation duties, Judge Isgur will be acting in his official capacity as a United States Bankruptcy Judge, with all of the privileges and immunities of a United States Bankruptcy Judge.

Dated: January 16, 2019.

  
Kevin R. Huennekens  
United States Bankruptcy Judge  
Eastern District of Virginia

  
David R. Jones  
Chief United States Bankruptcy Judge  
Southern District of Texas